

From: [Melissa Smith](#)
To: [Gary Moore](#)
Cc: [Guy Tidmore](#)
Subject: Re: United Environmental Services, LLC ?
Date: 09/08/2011 04:03 PM
Attachments: [K169 reclamation letter.pdf](#)

Hi Gary. I looked into your question, and talked about it briefly with Guy Tidmore, the Section Chief for the RCRA compliance enforcement section. I've attached a 2007 EPA letter that addresses this same situation. Here is the summary at the end of the letter which agrees with what you were told:

If, however, the crude oil tank materials were removed from the crude oil storage tank and sent off-site for legitimate reclamation, they would not be a solid waste (again following the state determinations for off-specification products being reclaimed), and the residuals generated from the reclamation of this material would represent a new point of generation. Thus, these residuals would not meet the K169 hazardous listing and would only need to be assessed for the RCRA hazardous waste characteristics. Finally, no listings apply to discarded tank sediments for crude oil storage tanks not located at or affiliated with a petroleum refinery, and one need only evaluate the residual for hazardous waste characteristics

I can't say whether or not the gentleman you talked with has a legitimate reclamation process. I checked our database and this company has not been inspected by EPA, but has been inspected several times by the state and received a written notice of violation (informal) in June of 2011. I don't know what the violations were though. Our recommendation would be to check the company out and make sure they have a legitimate process (I can contact the state to find out more about their inspection and violations). You don't want to send the material to a site that is operating like some others that we have had recent issues with (e.g. USOR).



K169 reclamation letter.pdf

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▼ Gary Moore---09/07/2011 04:13:13 PM---Melissa: I have a question about the following company:

From: Gary Moore/R6/USEPA/US
To: Melissa Smith/R6/USEPA/US@EPA
Cc: "Paige Delgado" <delgado.paige@epa.gov>
Date: 09/07/2011 04:13 PM
Subject: United Environmental Services, LLC ?

Melissa:

I have a question about the following company:

Richard Looney
United Environmental Services, LLC
8010 Needlepoint Rd
Baytown, TX 77521
Office: 281.839.0080
Direct: 832.695.1534
Cell: 281.300.9128
Fax: 281.839.0081
rlooney@unitedenviro.com
www.unitedenviro.com

I met this man at the site that I have in Ingleside, TX (Falcon Refinery). He was coming out to look at the sludge materials in the tanks to see if they could be reclaimed. He indicated the following:

He said that he was taking material that would normally be classified as K169 and reclaiming it. He indicated that he was getting this material from Shell and I assume other refineries. The material is not being shipped off as a waste and he is processing it to get as much oil out of it as possible. He then indicated that the any waste that he generates only has to be evaluated for the characteristic waste. He indicated that he has been approved by EPA for this activity.

I think this is a wonderful way to insure that we are getting as much out of reclamation as possible to prevent having to dispose of materials that could easily be reclaimed.

Can you give me any insite into this and let me know if this is a

legitimate activity?

If so, this could be a cost savings for us at some of our sites as we could reclaim the materials rather than dispose of them.

Thanks

Gary Moore

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